

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 8, 1949
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Glass presiding.

Roll call:

Present: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Absent: None

Present also: Guiton Morgan, City Manager; Trueman E. O'Quinn, City Attorney;
J. E. Motheral, Director of Public Works; R. D. Thorp, Chief of Police; J. D.
Huffman, Jr., Director of Finance.

Upon motion, the reading of the minutes was dispensed with.

In accordance with published notice thereof, promptly at 10:00 o'clock
A. M. Mayor Glass announced that the time for submitting bids on the purchase of
City of Austin General Obligation Bonds, Series 1949, in the amount of
\$930,000.00, and City of Austin Electric Light and Power, Water Works, and Sewer
System Improvements and Extension Revenue Bonds, Series 1949, in the amount of
\$7,150,000.00, had expired; and the City Council would proceed with the opening
of said bids.

The following bids were then opened and read, as follows:

CITY OF AUSTIN, TEXAS
 TABULATION OF BIDS
 RECEIVED ON \$930,000 GENERAL OBLIGATION BONDS SERIES - 1949
 SOLD SEPTEMBER 8, 1949

NAME OF BIDDER	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET		EFFECTIVE INTEREST RATE
					INTEREST COSTS	INTEREST COSTS	
1. UNION SECURITIES CORP. & ASSOCIATES, NEW YORK	3 %	\$ 116,000.00	\$ 9,690.00	\$	\$		
	2 %	540,000.00	136,900.00				
	1 3/4%	274,000.00	109,488.75	148.80	255,929.95	1.906439	
2. THE PHILADELPHIA NATIONAL BANK	3 %	116,000.00	9,690.00				
FIRST NATIONAL BANK OF PORTLAND, OREGON	1 3/4%	339,000.00	58,953.13	148.80	263,149.33	1.96022	
	2 %	475,000.00	194,655.00				
3. C. J. DEVINE & COMPANY, NEW YORK	3 %	116,000.00	9,690.00				
Bear, Stearns & Company	1 1/2%	126,000.00	12,787.50	2,029.10	265,428.40	1.97719	
Ira Haupt and Company	2 %	688,000.00	244,980.00				
Francis I. DuPont Company							
D. A. Pincus & Company							
Eddleman Pollock & Company							
The American National Bank Austin, Texas							
4. HALSEY, STUART & COMPANY, INC., N.Y.	2 %	345,000.00	44,665.00				
Blair & Company, Inc.	1 3/4%	73,000.00	16,296.88				
A. G. Becker & Company, Inc.	2 %	512,000.00	205,200.00	344.10	265,817.78	1.98009	
The Fort Worth National Bank							
5. LEHMAN BROTHERS, NEW YORK	3 %	147,000.00	14,572.50				
PHELPS, FENN & COMPANY, NEW YORK	1 1/2%	128,000.00	14,925.00	865.30	267,507.20	1.9927	
	2 %	655,000.00	238,875.00				
6. THE NATIONAL CITY BANK OF NEW YORK	3 %	147,000.00	14,572.50				
	1 3/4%	234,000.00	38,298.75				
	2 %	549,000.00	215,005.00		267,876.25	1.9954	

CITY OF AUSTIN, TEXAS
 TABULATION OF BIDS
 RECEIVED ON \$930,000 GENERAL OBLIGATION BONDS SERIES - 1949
 SOLD SEPTEMBER 8, 1949

NAME OF BIDDER	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET		EFFECTIVE INTEREST RATE
					INTEREST COSTS	INTEREST COSTS	
7. THE FIRST NATIONAL BANK OF CHICAGO	2 %	\$ 930,000.00	\$268,490.00	\$ 525.00	\$267,965.00		1.99608
8. HARRIMAN RIPLEY & CO., INC., CHICAGO	3 %	147,000.00	14,572.50				
	1 1/2%	128,000.00	14,925.00				
	2 %	655,000.00	238,875.00	34.00	268,338.50		1.998871
9. DREXEL & COMPANY	3 %	86,000.00	5,865.00				
	2 1/4%	156,000.00	22,050.00				
	2 %	688,000.00	244,980.00	40.92	272,854.08		2.03251
10. SMITH, BARNEY & CO., NEW YORK	3 %	116,000.00	9,690.00				
	2 1/2%	94,000.00	14,712.50				
	2 %	720,000.00	250,260.00	557.07	274,105.43		2.0418
11. THE NORTHERN TRUST COMPANY, CHICAGO	3 %	178,000.00	20,385.00				
	2 %	752,000.00	254,900.00	762.00	274,523.00		2.04494
12. EQUITABLE SECURITIES CORP., NEW YORK	2 %	178,000.00	13,590.00				
	1 3/4%	203,000.00	34,908.13				
	2 %	275,000.00	89,875.00				
	2 1/4%	274,000.00	140,771.25				
13. BLYTH AND CO., INC., NEW YORK	1 3/4%	381,000.00	46,799.37				
	2 %	192,000.00	58,740.00				
	2 1/4%	357,000.00	175,798.13	65.10	281,272.40		2.095216

Each of the above and foregoing bids was accompanied by a Certified Check in the amount of \$18,600.00

Whereupon the bids were referred to the Finance Director for tabulation and report.

CITY OF AUSTIN, TEXAS
 TABULATION OF BIDS
 RECEIVED ON \$7,150,000
 ELECTRIC LIGHT AND POWER, WATERWORKS, AND SEWER SYSTEM REVENUE BONDS--SERIES-1949
 SOLD SEPTEMBER 8, 1949

NAME OF BIDDER	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET		EFFECTIVE INTEREST RATE
					INTEREST COSTS	INTEREST COSTS	
1. FIRST SOUTHWEST COMPANY, DALLAS, TEXAS	3 %	\$ 960,000.00	\$ 90,000.00	\$	\$		
A. C. Allyn and Company, Inc.	1 1/2%	4,730,000.00	523,350.00				
Merrill, Lynch, Pierce, Fenner & Beane	1 1/4%	1,460,000.00	182,500.00	21,042.45	774,807.55		1.4761
Harris, Hall and Company							
Central Republic Company							
Stranahan, Harris & Company, Inc.							
Courts and Company							
Dewar, Robertson and Pancoast							
Moroney, Beissner and Company							
Moore, Leonard & Lynch							
Raffensperger, Hughes and Company, Inc.							
Columbian Securities Corp. of Texas							
F. Brittain Kennedy & Company							
Herbert J. Simms & Company, Inc.							
Julian Collins & Company							
Barret Fitch and Company							
Paul Fredricks and Company							
J. G. White and Company							
F. S. Yantis and Company							
3. DREXEL & COMPANY, NEW YORK	3 %	960,000.00	90,000.00				
Bear, Stearns & Company	1 1/4%	2,290,000.00	175,875.00				
Lee, Higginson Corporation	1 1/2%	3,900,000.00	531,300.00	13,971.10	783,203.90		1.4921

CITY OF AUSTIN, TEXAS
 TABULATION OF BIDS
 RECEIVED ON \$7,150,000

ELECTRIC LIGHT AND POWER, WATERWORKS, AND SEWER SYSTEM REVENUE BONDS-SERIES-1949

NAME OF BIDDER	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET		EFFECTIVE INTEREST RATE
					INTEREST COSTS	INTEREST COSTS	
Braun, Bosworth & Company, Inc.							
Hornblower & Weeks							
Ira Haupt & Company							
Hayden, Stone and Company							
William E. Pollock & Company, Inc.							
Bremhall, Barbour & Company, Inc.							
Laird & Company							
Wood, Gundy, and Company, Inc.							
Shearson, Hammill & Company							
Shelby Cullom Davis and Company							
Rand & Company							
McDougal and Company							
Moss, Moore and Company							
Roe and Company							
Hawley, Shepard & Company, Inc.							
Dittmar & Company							
4. HALSEY, STUART & CO., INC., NEW YORK	3 %	\$ 540,000.00	\$ 39,600.00	\$			
Harriman, Ripley & Company, Inc.	1 1/2%	6,610,000.00	767,550.00	6,685.25	800,464.75	1.524985	
Blyth and Company, Inc.							
Blair & Company, Inc.							
Solomon Brothers & Hutzler							
A. G. Becker & Company, Inc.							
John Nuveen and Company							
Dallas Union Trust Company							
First of Michigan Corporation							
Bacon, Whipple & Company							
Kebbon, McCormick & Company							
Otis & Company							
Schoellkopf, Hutton & Pomeroy							

CITY OF AUSTIN, TEXAS
 TABULATION OF BIDS
 RECEIVED ON \$7,150,000
 ELECTRIC LIGHT AND POWER, WATERWORKS, AND SEWER SYSTEM REVENUE BONDS-SERIES-1949
 SOLD SEPTEMBER 8, 1949

NAME OF BIDDER	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET		EFFECTIVE INTEREST RATE
					INTEREST COSTS	INTEREST COSTS	
Stern Brothers and Company							
Boettcher and Company							
Detmer and Company							
Merrill, Turben and Company							
H. V. Sattley and Company, Inc.							
Watling, Lerchen and Company							
Martin, Burns & Corbett, Inc.							
Wm. C. Seufferle and Company							
Wm. R. Compton and Company							
McDonald-Moore and Company							
Miller and Manning							
5. LEHMAN BROTHERS, NEW YORK	3 %	\$ 540,000.00	\$ 39,600.00	\$	\$		
PHILIPS, FENN AND COMPANY, NEW YORK	2 %	420,000.00	33,600.00				
White, Weld & Company	1 1/2%	6,190,000.00	742,350.00	71.50	815,478.50	1.5536	
Stone & Webster Securities Corp							
F. S. Moseley & Company							
Paine, Webber, Jackson & Curtis							
Rauscher, Pierce & Company							
Emerson, Roche & Company							
Underwood, Neuhaus & Company							
Charles B. White & Company & Associates							
6. UNION SECURITIES CORP. & ASSOCIATES	3 %	\$ 540,000.00	\$ 39,600.00	\$	\$		
	1 3/4%	1,030,000.00	82,775.00				
	1 1/2%	5,580,000.00	696,600.00		\$818,975.00	1.56024	

CITY OF AUSTIN, TEXAS
 TABULATION OF BIDS
 RECEIVED ON \$7,150,000
 ELECTRIC LIGHT AND POWER, WATERWORKS, AND SEWER SYSTEM REVENUE BONDS-SERIES-1949
 SOLD SEPTEMBER 8, 1949

NAME OF BIDDER	NOMINAL RATE	PRINCIPAL	INTEREST COSTS	PREMIUM OFFERED	NET	
					INTEREST COSTS	EFFECTIVE INTEREST RATE
7. SMITH BARNEY & COMPANY	3 %	\$ 540,000.00	\$ 39,600.00	\$	\$	
First Boston Corporation	2 3/4%	420,000.00	46,200.00			
Goldman, Sachs & Company	1 1/2%	6,190,000.00	742,350.00	1,422.85	826,727.15	1.575
Estabrook and Company						
Robert W. Baird and Company, Inc.						
G. H. Walker and Company						
Weeden and Company, Inc.						
The Milwaukee Company						
The Illinois Company						
E. H. Rollins & Sons, Inc.						
Roosevelt & Cross, Inc.						
Hayden Miller and Company						
Whiting, Weeks and Stubbs						
Tripp and Company, Inc.						
Dempsey and Company						
Rotan, Mosle and Moreland						
Russ & Company						
James O. Tucker & Company, Inc.						
Dallas Rupe and Son						
First of Texas Corporation						
Elliot and Eubank						
Seangood & Mayer						

Each of the above and foregoing bids was accompanied by a Cashier's Check in the amount of \$143,000.00.

Whereupon the bids were referred to the Finance Director for tabulation and report.

Councilman Johnson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Union Securities Corp. Managers, New York, and Associates, acting by and through their duly authorized agent and representative, W. H. Seay, have this day submitted to the City Council the following proposal:

September 8, 1949

To the City Council
City of Austin
Austin, Texas

Gentlemen:

In accordance with the Notice of Sale and your Prospectus dated August 8, 1949, we will pay par and accrued interest from October 1, 1949, to the date of delivery plus a cash premium of \$148.80.

For Bonds Maturing	Coupon Rate	Interest Cost
January 1, 1951, through January 1, 1954	3%	\$ 9,690.00
January 1, 1955, through January 1, 1969	2%	\$ 136,900.00
January 1, 1970, through January 1, 1975	1-3/4%	\$ 109,488.75
Total interest cost from October 1, 1949 to final maturity under this bid		\$ 256,078.75
Less: Cash premium bid		\$ 148.80
Net Interest cost		\$ 255,929.95
Effective interest rate		1.906439%

No bond shall be optional for redemption prior to maturity.

This bid is based upon the information as to date of issue, principal maturities, delivery, place of payment, etc., as contained in your official Notice of Sale and in the "Supplementary Information" dated August 8, 1949, issued by you. Specific reference is made to your statement that delivery of the bonds will be made at the office of the City Treasurer of the City of Austin, at Austin, Texas, immediately after approval by the Attorney General of the State of Texas, registration by the Comptroller of the State of Texas, and approval by Messrs. Wood, King and Dawson, Attorneys, New York City. It is estimated that delivery will be not later than October 17, 1949.

Attached hereto is a Certified Check in the amount of \$18,600 which is to be retained by you if we are awarded the bonds on this bid. You are to apply the check on the purchase price of the bonds when final delivery is made. In the event we fail or refuse to pay for the bonds, you are to cash the check as full and complete liquidated damages. In the event the bonds are not awarded to us, the check is to be returned to us immediately.

Respectfully submitted;

UNION SECURITIES CORP. MANAGERS
New York

&
Associates

By /s/ W. H. Seay
Authorized Representative
of above firm or syndicate.

and,

WHEREAS, the said bid and proposal of Union Securities Corp. was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds: NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said proposal of Union Securities Corp. to purchase \$930,000.00 City of Austin General Obligation Bonds as per the City's Notice of Sale and Prospectus dated August 8, 1949, at the price and upon the terms of said proposal be and the same is hereby accepted and Union Securities Corp. be awarded the sale of said bonds; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to sell to Union Securities Corp. the \$930,000.00 of General Obligation Bonds of the City of Austin as per the City's Notice of Sale and Prospectus dated August 8, 1949, at par and accrued interest from October 1, 1949, to date of delivery plus a cash premium of \$148.80, according to the terms of said bid hereinbefore set out.

Which motion, carrying with it the adoption of the resolution carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The following ordinance was introduced by Councilman Long:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF ONE HUNDRED EIGHTY THOUSAND DOLLARS (\$180,000.00) FOR THE PURPOSE OF CONSTRUCTING A POLICE AND MUNICIPAL COURTS BUILDING AND EQUIPPING SAME IN THE CITY OF AUSTIN, AND FOR REMOVING AND ESTABLISHING WITHIN SUCH STRUCTURE NECESSARY FURNISHINGS AND EQUIPMENT FOR THE OPERATION THEREOF; PROVIDING FOR THE PAYMENT OF SAID BONDS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved, seconded by Councilman Johnson, that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the second time and Councilman Long moved, seconded by Councilman Johnson, that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the third time and Councilman Long moved, seconded by Councilman Johnson, that the ordinance be finally passed. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Mayor then announced that the ordinance had been finally passed.

The following ordinance was introduced by Councilman Drake:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF BONDS OF THE CITY OF AUSTIN, TEXAS, TO THE AMOUNT OF SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS (\$750,000.00) FOR THE PURPOSE OF CONSTRUCTING, IMPROVING, AND REPAIRING PUBLIC FREE SCHOOL BUILDINGS OF THE CITY OF AUSTIN AND FOR ACQUIRING NECESSARY LANDS AND EQUIPMENT FOR SAID SCHOOLS; PROVIDING FOR THE PAYMENT OF SAID BONDS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Drake moved, seconded by Councilman MacCorkle, that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the second time and Councilman Drake moved, seconded by Councilman MacCorkle, that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the third time and Councilman Drake moved, seconded by Councilman MacCorkle, that the ordinance be finally passed. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Mayor then announced that the ordinance had been finally passed.

Councilman Johnson offered the following resolution and moved its

adoption:

(RESOLUTION)

WHEREAS, First Southwest Company, Dallas, Texas, acting by and through their duly authorized agent and representative, W. A. Jackson, have this day submitted to the City Council the following proposal:

September 8, 1949

To the City Council
City of Austin
Austin, Texas

Gentlemen:

In accordance with the Notice of Sale and your Prospectus dated August 8, 1949, we will pay par and accrued interest from October 1, 1949, to the date of delivery plus a cash premium of \$21,042.45.

For Bonds Maturing	Coupon Rate	Interest Cost
October 1, 1950, through October 1, 1953	3%	\$ 90,000.00
October 1, 1954, through October 1, 1958	1½%	\$ 523,350.00
October 1, 1959, through October 1, --	1¼%	\$ 182,500.00
Total interest cost from October 1, 1949, to final maturity under this bid		\$ 795,850.00
Less: Cash premium bid		\$ 21,042.45
Net interest cost		\$ 774,807.55
Effective interest rate		1.4761 %

This bid is based upon the information as to date of issue, principal maturities, delivery, place of payment and the call price, etc., as contained in your official Notice of Sale and in the "Supplementary Information", dated August 8, 1949, issued by you. Specific reference is made to your statement that delivery of the bonds will be made at the office of the City Treasurer of the City of Austin, at Austin, Texas, immediately after approval by the Attorney General of the State of Texas, registration by the Comptroller of the State of Texas, and approval by Messrs. Wood, King and Dawson, Attorneys, New York City. It is estimated that delivery will be not later than October 17, 1949.

Attached hereto is a Cashier's Check in the amount of \$143,000 which is to be retained by you if we are awarded the bonds on this bid. You are to apply the check on the purchase price of the bonds when final delivery is made. In the event we fail or refuse to pay for the bonds, you are to cash the check as full and complete liquidated damages. In the event the bonds are not awarded to us, the check is to be returned to us immediately.

Respectfully submitted:

First Southwest Company, Dallas, Texas

By /s/ W. A. Jackson
Authorized representative of
above firm or syndicate.

and,

WHEREAS, the said bid and proposal of First Southwest Company was the most advantageous bid submitted to the City Council for the purchase of the aforesaid bonds; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said proposal of First Southwest Company to purchase \$7,150,000.00 City of Austin Revenue Bonds as per the City's Notice of Sale and Prospectus dated August 8, 1949, at the price and upon the terms of said proposal be and the same is hereby accepted and First Southwest Company be awarded the sale of said bonds; and

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Manager be and he is hereby authorized and directed to sell to First Southwest Company the \$7,150,000.00 of Revenue Bonds of the City of Austin as per the City's Notice of Sale and Prospectus dated August 8, 1949, at par and accrued interest from October 1, 1949 to date of delivery plus a cash premium of \$21,042.45, according to the terms of said bid hereinbefore set out.

Which motion, carrying with it the adoption of the resolution, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

The following ordinance was introduced by Councilman Long:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED, "AN ORDINANCE AUTHORIZING THE ISSUANCE OF SEVEN MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS (\$7,150,000.00) ELECTRIC LIGHT AND POWER, WATER WORKS AND SEWER SYSTEMS IMPROVEMENT AND EXTENSION REVENUE BONDS, 1949 SERIES, OF THE CITY OF AUSTIN, TEXAS; PRESCRIBING THE FORM, TERMS AND CONDITIONS OF SAID BONDS, PROVIDING FOR THE PAYMENT THEREOF AND THE OBLIGATIONS OF THE CITY WITH RESPECT THERETO AND PRESCRIBING THE CONDITIONS UNDER WHICH ADDITIONAL BONDS MAY BE ISSUED; AND DECLARING AN EMERGENCY", WHICH WAS PASSED BY THE CITY COUNCIL SEPTEMBER 1, 1949 IN SECTION 2 THEREOF FIXING THE DATE, MATURITY AND INTEREST RATE OF CERTAIN REVENUE BONDS OF THE CITY OF AUSTIN; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved, seconded by Councilman Johnson, that the rule be suspended and the ordinance be passed to its second reading. The motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

The ordinance was read the second time and Councilman Long moved, seconded by Councilman Johnson, that the rule be further suspended and the ordinance be passed to its third reading. The motion carried by the

following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the third time and Councilman Long moved, seconded by Councilman Johnson, that the ordinance be finally passed. This motion carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Mayor then announced that the ordinance had been finally passed.

The following applications for change of zoning were advertised for public hearing this date:

JOE LUCAS	501-507 E. 1st Street	From "C-1" To "C-2" RECOMMENDED BY THE ZONING BOARD
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MR. SID GREGORY, representing JOE LUCAS, appeared before the Council in the interest of the above application. There was no opposition, and Councilman Drake moved that the Council follow the recommendation of the Zoning Board, and grant the requested change. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

W. J. PANNELL	200'x300', intersection of Airport Blvd. & Manor Road (2100-2200 Block, Airport Blvd.	From "A" To "C" RECOMMENDED by the Zoning Board
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Councilman Long moved that the Council following the recommendation of the Zoning Board of Adjustment, and grant the requested change. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

MR. KUYKENDALL, Attorney, appeared before the Council asking that the hearing on ARTHUR J. SEPEDA, advertised for public hearing this date, for change of zone at 1110 E. 11th Street from "C-1" to "C-2", be postponed until September 22. Councilman MacCorkle moved that this application be reset for public hearing on September 22nd. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

EWELL MONTE WHITTEN appeared before the Council in an appeal, asking that his Taxi Operators License be granted on a Chevrolet, 1947, four-door sedan, Fleetmaster, License KK 5801, FAC No. EAMI5940. His license had previously been denied. Councilman Long moved that EWELL MONTE WHITTEN, 612 West 5th Street, be granted a Taxi Operator License, with the provision that if he ever gets another ticket, his license will be revoked. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
 Noes: None

HERBERT RAY PRATHER appealed to the Council regarding his taxi-driver license. Due to the fact he had pending in the County Court a case for Driving while intoxicated, the Council advised him to wait until after this trial came up and decision rendered.

MARCELO SALAS VELASQUEZ appeared before the Council in an appeal for Taxi-Driver license, previously rejected. The City Manager did not recommend this to the Council. Councilman Long moved that the City Manager's recommendation be followed and the Taxi Driver's license be denied. The motion, seconded by Councilman Drake, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
 Noes: None

MR. ROBERT COTNER, 2837 Shoal Crest Avenue, presented a petition requesting the City Council to dedicate for public park and recreation purposes all city owned land along both sides of Shoal Creek and between Pease Park and 29th Street and bounded on the east by Lamar Blvd., and by the limits of city owned land lying on the east side of and adjacent to Lamar Blvd. and on the west by Parkway and presently privately owned property, and keep this area free from institutional building and commercial projects and, furthermore, we join with North-East Austin Civic Club and the expressed sentiment of citizens in other areas of Austin in requesting that all present park and playground areas and other city owned land adjacent to present park and playground areas and other city owned land suitable for future development as park and recreational areas be retained for the recreational use of all citizens and preserved from commercial or institutional uses by either private or public organizations. The petition was signed by approximately 186 citizens. The Mayor stated the Council would take this request under consideration; but it would necessitate a long study, as the City had lots of park land now. He stated before POLIO, INC., was granted any piece of land, a public hearing would be held for all the citizens in the designated area to be heard. MRS. JOE HILL spoke stating Wooldridge School was over-crowded, and this play area was needed.

MR. RICKEY KEY, representing the Realtors, invited the Council, the City Manager, and the City Attorney, to a program in observance of Constitution Day, on September 13, at the Austin Hotel at 12:00. CAPTAIN L. THEO BELLMONT was scheduled to make a talk on the Constitution, and JUDGE JAMES P. HART was to be the speaker for the occasion.

MR. B. W. McCARTY requested that the Council name the playground in Govalle "GOVALLE PARK", as this name was selected by a majority of people in this area. Action on this was postponed until the following Thursday to see if this were the same group that appeared before the Council on August 11th, asking permission to hold a contest on naming the park, and to submit the winning name to the Council for approval.

The following ordinance was introduced by the Mayor:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE REGULATING TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF AUSTIN; PRESCRIBING PENALTIES FOR THE VIOLATION OF SAME; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN MAY 6, 1937, AND IS RECORDED IN BOOK "K", PAGES 159-179, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 12(b) OF ARTICLE III RELATING TO STOP SIGN LOCATIONS, AND AMENDING SECTIONS 22(e) AND 26(a) OF ARTICLE IV RELATING RESPECTIVELY TO ONE HOUR PARKING AND ANGLE PARKING LOCATIONS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman MacCorkle moved that the rule be suspended and the ordinance be passed to its second reading. The motion was seconded by Councilman Johnson and the same prevailed by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the second time and Councilman MacCorkle moved that the rules be further suspended and the ordinance be passed to its third reading. The motion was seconded by Councilman Johnson and the same prevailed by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The ordinance was read the third time and Councilman MacCorkle moved that the ordinance be finally passed. The motion was seconded by Councilman Johnson and the same prevailed by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves as a filling station site the property located at the Northwest corner of Burnet Road and Northland Drive, which property fronts 273.79 feet on Burnet Road and 122.41 feet on Northland Drive and is a part of the unplatted portion of Allandale, Section 2, a subdivision of a portion of the George W. Spear League within the City of Austin, Travis County, Texas, and hereby authorizes the said W. Murray Graham to construct, maintain and operate a drive-in gasoline filling station and to construct curbs, ramps and sidewalks in conjunction therewith, subject to the same being constructed in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations and plans; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this filling station after full compliance with all the provisions of this resolution, and said permission shall be held to be granted and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said W. Murray Graham has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

The motion, duly seconded by Councilman MacCorkle, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

MR. W. W. BENNETT appeared before the Council regarding action on an ordinance amendment permitting construction as he proposed in Lake Austin. Mr. Morgan stated the ordinance was being prepared; but Mr. Bennett's proposal will have to be worked out individually to see that there is no objection from the L. C. R. A., and that his plans would be to be submitted for approval, and there were several items to be considered. Mr. Bennett stated he had heard there would be someone at this meeting to protest, and he wanted to be present.

Mayor Glass introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED "AN ORDINANCE PRESCRIBING REGULATIONS FOR THE ERECTION OR STRUCTURAL ALTERATION OF PIERS, DOCKS, WHARVES, FLOATS, ISLANDS, OR OTHER STRUCTURES, IN TOM MILLER LAKE, AS DEFINED IN THIS ORDINANCE, OR ALONG THE SHORES OF SAID LAKE, BELOW A CONTOUR ELEVATION OF 504.9 FEET ABOVE MEAN SEA LEVEL; PRESCRIBING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN NOVEMBER 2, 1939, AND IS RECORDED IN BOOK "K", PAGES 572-573, INCLUSIVE, OF THE ORDINANCE RECORDS OF

THE CITY OF AUSTIN BY AMENDING SECTION 3 (b) (1) THEREOF SO AS TO AUTHORIZE CONSTRUCTION OF STRUCTURES EXTENDING MORE THAN 50 FEET INTO THE PART OF LAKE AUSTIN DOWNSTREAM FROM A WESTERLY EXTENSION OF THE SOUTH LINE OF WINDSOR ROAD UPON SPECIAL PERMIT OF THE CITY COUNCIL; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS.

The ordinance was read the first time, and Councilman Drake moved that it be passed to the second reading. The motion, duly seconded, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

MR. WILLIAM E. BOAKE, Operator of the Yacht Club Harbor came before the Council, asking if Mr. Bennett is permitted to lease City property for his boat docks, he, too would like to bid on city property. He stated Bennett and Burr operated ferry services; and they had a monopoly on this; and when the City entered into a contract with Bennett Boat Docks, he felt it should be on open bid, and he wanted to bid, as he needed space on the east side to bring people from the west side. He stated he did not operate a ferry service, and Mr. Bennett did not want to operate a regular service, and that sometimes people had no way back, and there were no physical accesses to the lake except Taylors Slough, which was not navigable. The Council agreed to have both MR. BOAKE AND MR. BENNETT down to work out something in regard to a place where the public could have access to.

COUNCILMAN MAC CORKLE requested that resolutions involving study and of great importance be prepared and each member of the Council given a copy before the Council meeting, so that each could have an opportunity to study and consider them before voting. In this particular instance, he referred to the resolution granting the AUSTIN AREA ECONOMIC DEVELOPMENT FOUNDATION an option for 400 acres of land from the Lake Austin Metropolitan Park at a price of \$46,500.00. Copies of this resolution were passed to the Council for study.

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the City of Austin acquired by deeds in 1939 and 1940, approximately 1100 acres of land located on Lake Austin, $7\frac{1}{2}$ miles upstream from the Tom Miller Dam, and upon survey the tracts acquired were found to contain one thousand two hundred sixty (1260) acres; and

WHEREAS, the property so acquired was designated as "Lake Austin Metropolitan Park", and was incorporated in the city limits of the City of Austin by annexation ordinance passed on October 16, 1941; and

WHEREAS, through the cooperation of the United States Government, a portion of said property was partially developed by the National Park Service of the Department of Interior and the Civilian Conservation Corps; and

WHEREAS, the City of Austin has not had funds to develop all of the park for recreational and conservation purposes; and

WHEREAS, the City of Austin has been requested to make available or to assist in making available lands adequate for the erection and operation of a vacation village of the type now operated by the Butlin Projects, for the purpose of bringing to Austin thousands of tourists each year, thereby exploiting the possibilities of the "Highland Lakes Area of Central Texas", and supplementing and increasing the permanent payrolls of the community; and

WHEREAS, the City Council has analyzed the park and recreation properties of the City of Austin, and finds that the City has within its corporate limits (excluding the Lake Austin Metropolitan Park) forty (40) parks, recreation centers, athletic fields and playgrounds, containing 907 acres of land, and two municipal golf courses of 237 acres; and

WHEREAS, the City Council further finds that the City of Austin now stands fifth in the United States in land area per capita dedicated to recreational and park facilities, and considering the size of Austin and its anticipated growth, the City has other property available for park purposes adequate to maintain its national position, and adequate to serve the anticipated future needs of the City of Austin; and

WHEREAS, the City Council further finds that with the funds presently available for park and recreational purposes, the City cannot fully develop the entire Lake Austin Metropolitan Park; and

WHEREAS the City Council further finds that the City has other undeveloped park lands along the Colorado River, and other park areas in the City which are suitable for development as parks when funds for the purpose are available; and

WHEREAS, there is presented a possibility of disposing of approximately four hundred (400) acres of Lake Austin Metropolitan Park, beginning 1750 feet west of the present bath house in the park and running westward and northwest to the end of the City Park, and northward to the road crossing the park area, for an appraised value of Forty-Six thousand Five Hundred Dollars (\$46,500.00), leaving for the City approximately 860 acres of that part of the park which may best be serviced and maintained as a park; and

WHEREAS, the revenues from the proposed sale of such 400 acres will assist the City in property beautifying the remaining portion of Lake Austin Metropolitan Park, and will enable the City to improve and beautify its present parks, may be used for the purchase and or development of other more accessible parks; and

WHEREAS, The Austin Area Economic Foundation has requested the City Council to grant it an option for future assignment for the purchase of the 400 acres of land heretofore described, for the development by the Butlin or other interests acceptable to the City of Austin of a recreational or vacation resort of the type known as "Butlin Vacation Village", Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Council declares that an option to purchase approximately 400 acres of the Lake Austin Metropolitan Park, such acreage to be located as recited above, will be granted to the Austin Area Economic Development Foundation, which option shall be transferable, upon written notice to the City of Austin, upon the following terms and conditions:

- (1) That the acreage included within the option shall be used exclusively by the purchasers for recreation, vacation, and resort development.
- (2) That a legal and accurate description of the property with a stipulated price for the option and a stipulated price for the final purchase of said land shall be stated in the option.
- (3) That the option to purchase said property shall permit a six months' period for research and engineering work by the proposed developers and that general building plans shall be submitted to the City Council for inspection and approval.
- (4) Upon approval by the City Council of the preliminary building plans an additional period of six months shall be given to the developers and purchasers for completion of a prospectus and financial program.
- (5) Upon termination of the second six months' period, if the program for financing the project has been completed successfully, the developers and purchasers shall be required to pay to the City of Austin not less than twenty-five percent (25%) of the purchase price of the property, the balance of said purchase price to be paid upon the beginning of actual construction of the building program.
- (6) Upon payment of 25% of the purchase price, an additional period of one year shall be allowed the developers and purchasers for the beginning of actual construction. Completion of not less than 50% of the approved project, based upon a 2000 bed operation, shall be completed within three years from date of the contract to purchase.
- (7) The land covered by the option to purchase shall be used exclusively for the development of a recreation, vacation, and resort service project, and in the event of failure on the part of the developers and purchasers to complete at least 50% of the project (that is, a 1000 bed operation), title to the land, if title has passed, and in any event all right and title in and to said land, shall revert to the City of Austin five years from date of the contract to purchase.
- (8) The Austin Area Economic Development Foundation shall be held liable only to the extent of the legal obligations assumed by said Foundation in the option or contract to purchase.

Which motion, duly seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass
Noes: None

The Council received and read the following letter dated September 7, 1949, addressed to the City Council:

"We wish as a body to heartily endorse the proposition made to the city by the Austin Area Economic Development council to give them an option on the plot of ground on the lake front, to sell for a sum of \$46,000.00.

"We think this would be an excellent start for the development of our lakes area and would put this much capital back into the Treasury.

We would also suggest that part of this money be used to start development of the proposed new park and playground just across the new low water bridge.

"This has been under discussion for several years and will make an excellent recreation center.

(Sgd) C. R. Brownlee
Secretary-Treasurer
South-Austin Civic Club
1329 South Congress"

MR. HERMAN JONES appeared before the Council in behalf of JOHN KINSER to discuss the lease which the Council had authorized the City Manager to work out with Mr. Kinser. Mr. Jones asked that since the full amount of land was not leased, that the rent be reduced, and that the lease be changed to allow a transfer from John Kinser to a corporation. The lease was to be changed according to agreement worked out in this discussion.

Councilman Drake offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Mr. John D. Kinser, represented by Mr. Herman Jones, has requested that he be allowed to lease certain property belonging to the City of Austin lying west of the Missouri Pacific Railroad and extending west to the old Fredericksburg Road and south of the Robert E. Lee Road as described in a contract attached and the terms being for a lease of five (5) years with an option to renew for an additional five years at an annual rental of One Thousand Eight Hundred Dollars (1800.00), and providing for public liability insurance with minimum limits of \$10/20,000; and

WHEREAS, the City Council has considered the terms and provisions of said contract, Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Guiton Morgan, City Manager, be and he is hereby authorized and directed to execute said lease agreement.

Which motion, duly seconded, carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

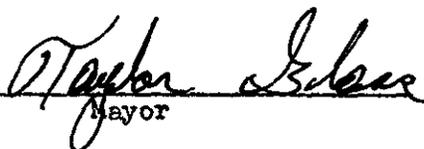
F. G. CAIN, CAIN'S PLACE, 1618 Rosewood Avenue, appeared before the Council in an appeal asking that he be granted a BEER AND WINE "ON PREMISE" PERMIT. Due to a police record, his request had previously been denied. Councilman Long moved that this permit be granted on condition that the first time any lawlessness occurred, the place would be closed down. The motion, seconded by Councilman Drake carried by the following vote:

Ayes: Councilmen Drake, Johnson, Long, MacCorkle, Mayor Glass

Noes: None

There being no further business, upon motion of Councilman Johnson, seconded by Councilman Long, the Council adjourned subject to call of the Mayor.

APPROVED:


Mayor

ATTEST:


Acting City Clerk